

1
2
3
4
5
6
7 UNITED STATES DISTRICT COURT
8 CENTRAL DISTRICT OF CALIFORNIA
9 WESTERN DIVISION
10

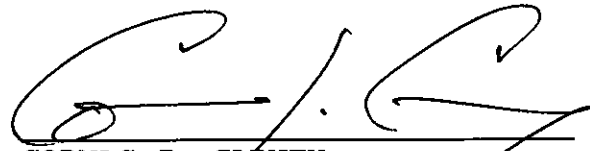
11 KEVIN GOODMAN,) No. CV 07-01776-CJC (VBK)
12)
13 Plaintiff,) ORDER (1) ACCEPTING AND ADOPTING
14) THE REPORT AND RECOMMENDATION OF
15 v.) THE UNITED STATES MAGISTRATE
16) JUDGE, (2) GRANTING IN PART
17 CAL. DEPT. OF CORR. & REHAB.,) DEFENDANTS' MOTION TO DISMISS;
18 et al.,) (3) DENYING IN PART DEFENDANTS'
19) MOTION TO DISMISS; AND (4)
20 Defendants.) ORDERING DEFENDANTS DR. FITTER
21) AND DR. SINGH TO FILE AN ANSWER
22) TO PLAINTIFF'S FIRST AMENDED
23) COMPLAINT
24)
25)
26)
27)
28)

29 Pursuant to 28 U.S.C. §636, the Court has reviewed the First
30 Amended Complaint and all other papers along with the attached Report
31 and Recommendation of the United States Magistrate Judge, and has made
32 a de novo determination of the Report and Recommendation.

33 **IT IS THEREFORE ORDERED** that an Order be entered (1) approving
34 and adopting the Report and Recommendation; (2) granting Defendants'
35 Motion to Dismiss with respect to dismissing Defendant California
36 Department of Corrections and Rehabilitation and dismissing
37 Plaintiff's claim for a Fourteenth Amendment equal protection
38 violation (Claim 2); (3) denying in part Defendants' Motion to Dismiss
39 as to Defendants Dr. Fitter and Dr. Singh; and (4) Defendants Dr.

1 Fitter and Dr. Singh be ordered to file an Answer to the First Amended
2 Complaint within 30 days of the date of this Order.

3
4 DATED: October 14, 2008

5
6 
7 CORMAC J. CARNEY
8 UNITED STATES DISTRICT JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28